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AGRICULTURE FOR PVPO FOR PZANKOWSKI
PARIS FOR USOECD

E.O. 12958: N/A

TAGS: [ECON](#) [KIPR](#) [WIPO](#)

SUBJECT: UPOV Meeting, October 19 to 23, 2009

11. Summary: The International Union for the Protection of New Varieties of Plants (UPOV) met on October 19 to October 23, 2009. Issues regarding the procedure for the appointment of a new Vice Secretary General were discussed, and three candidates for the post of the Vice-Secretary General were selected for interview in February, 2010. The U.S. Representative (Kitisri Sukhapinda) was elected to the post of the Vice President and the South Korean Representative, former Vice President, was elected to the post of the President of the UPOV Council. Other issues discussed included plant variety database; use of molecular techniques in the variety testing; electronic application, and adoption of UPOV documents; observer status; and financial regulations and rules of UPOV. The Council took positive decisions on the laws for plant variety protection of Oman and Guatemala. END SUMMARY

12. The Sixtieth Session of the UPOV Administrative and Legal Committee (CAJ) was held on October 19, 2009. After the CAJ approved several explanatory notes and guidance documents, the CAJ supported continued involvement of the Office of the Union in exploratory discussions with WIPO concerning a brand-related database. It was suggested that the development of search tools for variety denomination purposes could be of particular interest for authorities and breeders.

13. The CAJ expressed its support for the development of a document concerning matters arising after the grant of a breeder's right. The CAJ agreed that the Office of the Union should issue a circular, inviting members of the Union to provide examples of matters that might be covered by the document.

14. The First Session of the Ad Hoc Sub-Committee of the Consultative Committee (CC/SC) was held on October 20, 2009. The CC/SC considered the procedure for appointment of the new Vice-Secretary General. The CC/SC reviewed seven applications for the post of the Vice-Secretary General and prepared reports to the CC with regards to evidence of qualifications indicated in each application.

15. The Seventy-Eight Session of the Consultative Committee was held on October 21 and on the morning of October 22, 2009. The CC reviewed the applications for the post of the Vice-Secretary General and the report from the CC/SC. The CC selected Peter Button, nominated by the United Kingdom and Northern Ireland, Raimundo Lavignolle, nominated by Argentina, and Antonia Ivascu, nominated by Romania to move forward to the interview session which will be held in Geneva on February 1, 2010.

16. The CC considered applications from 3 international organizations requesting observer status: CropLife International, European Farmers Coordination, and Association for Plant Breeding for the Benefit of Society APBREBES. The CC concluded that the applications could not be considered further until each organization demonstrated its "competence in areas of direct relevance in respect of matters

governed by the UPOV Convention".

¶17. The CC noted that the Second World Seed Conference, held at the Food and Agriculture Organization of the United Nations (FAO), Rome, from September 8 to 10, 2009, had been jointly organized by UPOV, FAO, the Organization for Economic Co-operation and Development (OECD), the International Seed Federation (ISF) and the International Seed Testing Association (ISTA). Copies of the leaflet "Declaration from the Second World Seed Conference" were distributed to the CC at the session. It was suggested that delegations might, for example, wish to make copies of the leaflet available to their colleagues attending the FAO World Summit on Food Security, to be held in Rome from November 16 to 18, 2009.

¶18. The CC noted the draft Note concerning the Report of the Special Rapporteur on the Right to Food. It agreed that the Note would be presented to the Third Committee of the General Assembly of the United Nations, as set out in Circular 1124, on October 21, 2009.

¶19. The first meeting of the Ad Hoc Working Group on the Financial Regulations and Rules (CC/FRR) was held on October 22, 2009. Pursuant to the agreement between WIPO and UPOV, WIPO's FRR is to apply to UPOV mutatis mutandis. The CC/FRR prepared the Financial Regulations and Rules (FRR) of UPOV and agreed to present the document to the CC at its next meeting in March.

¶10. The Forty-Third Ordinary Session of the Council was held on October 22, 2010. The Council reviewed and took positive decisions on the plant variety protection law of Oman and Guatemala.

¶11. The Council elected the U.S. Representative (Ms. Kitisri Sukhapinda) to the post of the Vice President and the Korean Representative (Mr. Keun-Jin Choi), former Vice President, to the post of the President of the UPOV Council. The term for the new President and Vice President is 3 years, starting at the end of the Council session on October 22, 2009.

¶12. On October 22, 2009, the Sultanate of Oman deposited its instrument of accession to the UPOV Convention.

¶13. The United States delegation consisted of Kitisri Sukhapinda (USPTO), Karin Ferriter (USPTO) and Paul Zankowski (PVPO).

GRIFFITHS#